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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,767	05/14/2001	Sebastien A. Jean	36.P318	6641
5514	7590	09/07/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			LEE, PHILIP C	
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NEW YORK, NY 10112			PAPER NUMBER	
			2154	

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/853,767

Applicant(s)

JEAN ET AL.

Examiner

Philip C Lee

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-36 are presented for examination.
2. Claim 26 is objected to because "the external network a network device" at line 4 appears to have a typographical error. Appropriate correction is required.

Claim Rejections - 35 USC 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Art Unit: 2154

7. Claims 1, 3 and 34-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Tomiyasu, U.S. Patent 6,727,998 (hereinafter Tomiyasu).

3. As per claims 1 and 34-36, Tomiyasu taught the method for mimicking network devices, the method being performed in a computing device [e.g. 21, fig. 1] having first and second network interface cards [Note that host computer 21 in figure 1 is connected with internet 3 and LAN 2, therefore it is inherent that host computer 21 have two network interface cards.], the first network interface card connecting the computing device to an external network [e.g. 3, fig. 1] and the second network interface card connecting the computing device to a local network [LAN 2, fig. 3], the method comprising the steps of:

receiving an incoming message (col. 5, lines 52-53) from a client network device residing on the external network, the incoming message being directed to a legacy network device residing on the local network (col. 6, lines 10-25);

determining if the incoming message requires a function provided by an application module residing in the computing device (col. 4, lines 30-40);

redirecting, in the case that the incoming message requires a function [e.g. the mail contains print data] provided by the application module, the incoming message to the application module which performs the required function in response to the incoming message (col. 5, lines 52-67; col. 6, lines 25-35); and

passing, in the case that the incoming message does not require a function provided by the application module, the incoming message through the local network to the legacy network device residing on the local network (col. 4, lines 54-65; col. 7, lines 25-30).

4. As per claim 3, Tomiyasu taught the invention as claimed in claim 1 above. Tomiyasu further taught that in the redirecting step, the performance of the required function by the application module includes sending a local message from the application module over the local network to the legacy network device which performs a function in response to the local message (col. 6, lines 25-35).

Claim Rejections – 35 USC 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tomiyasu in view of Wilson, Jr., U.S. Patent 6,757,280 (hereinafter Wilson).

7. As per claim 2, Tomiyasu taught the invention as claimed in claim 1 above. Tomiyasu did not teach sending a response message having a source address of network device to a client.

Art Unit: 2154

Wilson taught a similar system wherein in the redirecting step, the performance of the required function by the application module includes sending a response message from the application module over the external network to the client network device, the response message having a source identification address identical to a source identification address of the legacy network device (col. 9, lines 43-54).

8. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Tomiyasu and Wilson because Wilson's system of sending a response message having a source address of network device would increase the reliability of Tomiyasu's system by providing an acknowledgement to the requesting client.

9. Claims 16-21 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tomiyasu in view of Krishnan, U.S. Patent 6,157,950 (hereinafter Krishnan).

10. As per claims 16 and 18, Tomiyasu taught the invention as claimed in claim 3 above. Tomiyasu did not teach that the second network interface card is assigned a preset IP address, and the local message contains the preset IP address as source address. Krishnan taught that the second network interface card is assigned a preset IP address, and the local message contains a source IP address which is identical to the preset IP address (col. 5, lines 10-21; col. 7, lines 4-6, 31-42).

Art Unit: 2154

11. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tomiyasu and Krishnan because Krishnan's method of using the IP address of the second network interface card as source address would

12. As per claim 17, Tomiyasu taught the invention as claimed in claim 3 above. Tomiyasu did not teach that the message contains the IP address of the client network device as source address. Krishnan taught that the local message contains a source IP address which is identical to a source IP address of the client network device (col. 7, lines 53-col. 8, lines 17).

13. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tomiyasu and Krishnan because Krishnan's teaching of local message having a source IP address of client network device would increase the reliability of Tomiyasu's system by allowing a gateway to identify the client network device that sent the local message.

14. As per claim 19, Tomiyasu taught the invention as claimed in claim 1 above. Tomiyasu did not teach determining which one of the external network and the local network is used for sending the outbound message. Krishnan taught that in the redirecting step, the performance of the required function by the application module includes preparation of an outbound message for delivery to a designated device on one of the external network and the local network, and a routing table is used to determine which one of the external network and the local network is used for sending the outbound message to the designated device (col. 7, lines 53-col. 8, lines 39).

15. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tomiyasu and Krishnan because Krishnan's method of determining the path for the outbound message would increase the efficiency of Tomiyasu's system by providing the shortest path for sending the outbound message to the destination.

16. As per claim 20, Tomiyasu and Krishnan taught the invention substantially as claimed in claim 19 above. Krishnan further taught that the routing table contains a cross-reference indicator for each legacy network device to indicate which one of the external network and the local network is used for sending the outbound message to the designated device (col. 7, lines 53-col. 8, lines 39).

17. As per claim 21, Tomiyasu and Krishnan taught the invention substantially as claimed in claim 19 above. Krishnan further taught that the routing table is used to determine whether a preset IP address of the second network interface card or a source IP address of the client network device is used as a source IP address in the outbound message (col. 7, lines 53-col. 8, lines 39).

18. As per claim 32, Tomiyasu taught the invention as claimed in claim 1 above. Tomiyasu did not teach sending a plurality of undesirable messages over one of the external network and the local network. Krishnan taught including the step of transmitting a plurality of undesirable

Art Unit: 2154

messages from the application module over one of the external network and the local network (col. 8, lines 25-39; col. 9, lines 12-36).

19. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tomiyasu and Krishnan because Krishnan's method of sending undesirable message to external network and the local network would increase the reliability of Tomiyasu's system by allowing unidentified message to be routed to the destination.

20. Claims 4-10, 15, 24, 26, 28 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tomiyasu in view of, Banginwar, U.S. Patent 6,611,863 (hereinafter Banginwar).

21. As per claims 4, 26 and 28, Tomiyasu taught the invention as claimed in claim 1 above. Tomiyasu did not teach rules for determining if the incoming message requires a function. Banginwar taught that in the determining step, inbound rules are used to determine if the incoming message requires a function provided by an application module residing in the computing device (col. 2, lines 18-26).

22. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Tomiyasu and Banginwar because Banginwar's

Art Unit: 2154

teaching of inbound rules would increase the user flexibility of Tomiyasu's system by allowing an incoming message to be process according to predetermined rules set by the user.

23. Tomiyasu and Banginwar did not specifically detailing an inbound rules table. However, It would have been obvious to one having ordinary skill in the art at the time of the invention was made to include an inbound rules table because by doing so would increase the field of use in their systems.

24. As per claim 5, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 4 above. Banginwar further taught that the inbound rules table contains a plurality of rules, each rule corresponding to one of a plurality of legacy network devices on the local network (col. 1, lines 60-col.2, lines 12; col. 5, lines 7-29).

25. As per claim 6, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 5 above. Banginwar further taught a system comprising the step of discovering each of the plurality of legacy network devices on the local network by listening to the local network for messages from the legacy network devices, creating a target descriptor entry corresponding to each discovered legacy network device in a target descriptor table, and creating a rule corresponding to each target descriptor entry in the inbound rules table (col. 1, lines 60-col. 2, lines 12; col. 4, lines 10-45; col. 5, lines 7-29).

Art Unit: 2154

26. As per claims 7 and 8, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 6 above. Banginwar further taught a system wherein the inbound rules table contains at least one rule which indicates whether a requested function of the corresponding legacy network device requires a function provided by an application module residing in the computing device (col. 2, lines 18-26).

27. As per claim 9, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 7 above. Banginwar further taught a system wherein each rule contains an IP address of the legacy network device corresponding to the rule to indicate whether a requested function of the corresponding legacy network device requires a function provided by an application module residing in the computing device (col. 4, lines 10-45, lines 54-58; col. 5, lines 7-29).

28. As per claim 10, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 7 above. Tomiyasu and Banginwar did not specifically detailing port identifier contained in each rule. However, Banginwar taught a system wherein each rule contains an IP address of the legacy network device (col. 4, lines 10-45, lines 54-58; col. 5, lines 7-29). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to include a port identifier because by doing so would increase the field of use in their systems.

Art Unit: 2154

29. As per claim 15, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 6 above. Banginwar further taught comprising the step of publishing each target descriptor entry to the application module (col. 2, lines 2-12).

30. As per claim 24, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 4 above. Tomiyasu and Banginwar did not specifically detailing a USB network. However, Tomiyasu taught the local network could be connected with a local communication line (col. 2, lines 46-52). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to include a network connected with USB because by doing so would increase the field of use in their systems.

31. As per claim 33, Tomiyasu taught the invention for mimicking network devices, the method being performed in a computing device [e.g. 21, fig. 1] having first and second network interface cards [Note that host computer 21 in figure 1 is connected with internet 3 and LAN 2, therefore it is inherent that host computer 21 have two network interface cards.], the first network interface card connecting the computing device to an external network [e.g. 3, fig. 1] and the second network interface card connecting the computing device to a local network [LAN 2, fig. 3], the method comprising the steps of:

receiving an incoming message (col. 5, lines 52-53) from a client network device residing on the external network, the incoming message being directed to an IP address of a designated one of the plurality of legacy network printers (col. 6, lines 10-25);

determining, based on the rule corresponding to the designated legacy network printer, if the incoming message requires a function performed by the application module (col. 4, lines 30-40; col. 5, lines 52-67);

redirecting, in the case that the incoming message requires support from the application module, the incoming message to the application module which performs the required function [e.g. the mail contains print data] in response to the incoming message (col. 5, lines 52-67; col. 6, lines 25-35); and

passing, in the case that the incoming message does not require a function provided by the application module, the incoming message through the local network to the designated legacy network printer (col. 4, lines 54-65; col. 7, lines 25-30).

32. Tomiyasu fails to teach the step of discovering a plurality of legacy network printers and creating a rule for each of the discovered legacy network printers. Banginwar taught a similar system comprising the steps of:

discovering a plurality of legacy network printers on the local network by detecting messages on the local network from each of the plurality of legacy network printers; creating a rule in a rules table for each of the discovered legacy network printers, each rule containing the IP address of the corresponding legacy network printer and indicating whether an application module in the computing device performs a function on behalf of the corresponding legacy network printer (col. 1, lines 60-col. 2, lines 26; col. 4, lines 10-45, 54-58; col. 5, lines 7-29).

Art Unit: 2154

33. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Tomiyasu and Banginwar because Banginwar's teaching of discovering legacy network printers would increase the system alertness of Tomiyasu's system by allowing new devices added to the system to be notify to the user.

34. Claims 22-23, 25 and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tomiyasu and Banginwar in view of Krishnan.

35. As per claims 22 and 23, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 7 above. Tomiyasu and Banginwar did not teach tracking port identifier and creating rule corresponding to the port identifier for redirecting message. Krishnan taught a system comprising the step of tracking a port identifier of a port opened by the application module and creating a rule in the inbound rules table corresponding to the port identifier, wherein in the determining step, the rule is used to redirect a message from the external network to the application module if the message contains the port identifier corresponding to the rule (col. 7, lines 53-col. 8, lines 39).

36. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tomiyasu, Banginwar and Krishnan because Krishnan's method of tracking port identifier and creating rule corresponding to the port identifier for redirecting message would enhance Tomiyasu's and Banginwar's systems by allowing multiple devices to be connected to the Internet through a shared connection (col. 1, lines 65-67).

37. As per claim 25, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 4 above. Tomiyasu and Banginwar did not specifically teach a digital camera. Krishnan taught that other devices and peripherals could be accessed from a remote location (col. 1, lines 57-59).

38. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Tomiyasu, Banginwar and Krishnan because Krishnan's teaching of accessing a device such as a digital camera would increase the field of use in their system.

39. As per claim 29, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 4 above. Tomiyasu and Banginwar did not teach a file server which sends file over the network. Krishnan taught that the application module is a file server which sends at least one file over the local network to the legacy network device and at least one file over the external network to the client network device (col. 10, lines 27-33; col. 10, lines 66-col. 11, lines 1).

40. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Tomiyasu, Banginwar and Krishnan because Krishnan's teaching of a file server sending file over the external network would increase the field of use in their systems.

Art Unit: 2154

41. As per claim 30, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 4 above. Tomiyasu and Banginwar did not teach recording the incoming message. Krishnan taught that the inbound rules table contains rules which are used in the determining step to determine that a set of designated incoming messages are copied to the application module which records each of the set of designated incoming messages (col. 8, lines 40-col. 9, lines 36).

42. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Tomiyasu, Banginwar and Krishnan because Krishnan's method of recording the incoming message would increase the user alertness of Tomiyasu's and Banginwar's systems by allowing a user to monitor the messages received by the system.

43. As per claim 31, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 4 above. Tomiyasu and Banginwar did not teach redirecting an undesirable message. Krishnan taught that inbound rules table contains rules which are used in the determining step to detect if the incoming message is an undesirable message, and in the case that the incoming message is an undesirable message, determining that the incoming message requires a function provided by the application module, whereby the incoming message is redirected to the application module (col. 8, lines 25-39; col. 9, lines 12-36).

Art Unit: 2154

44. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Tomiyasu, Banginwar and Krishnan because Krishnan's detecting and redirecting an undesirable message would increase the reliability of Tomiyasu's system by allowing unidentified message to be routed to the destination.

45. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tomiyasu and Banginwar in view of Levine et al, U.S. Patent 6,020,973 (hereinafter Levine).

46. As per claim 11, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 6 above. Tomiyasu and Banginwar did not teach the discovering step. Levine taught a system wherein the discovering step includes sending a discovery message to each discovered legacy network device and receiving discovery information in response to the discovery message from the corresponding legacy network device, wherein the discovery information is placed in the target descriptor entry for the corresponding legacy network device (col. 12, lines 10-26; col. 13, lines 28-47).

47. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Tomiyasu, Banginwar and Levine because Levine's system of having the discovering step would increase the user alertness in Tomiyasu's and Banginwar's systems by allowing the status of the legacy network devices to be acknowledged by the user.

Art Unit: 2154

48. As per claim 12, Tomiyasu, Banginwar and Levine taught the invention substantially as claimed in claim 11 above. Levine further taught a similar system comprising a polling step of sending a discovery message on a periodic basis to each discovered legacy network device, and receiving in response to the discovery message discovery information from the corresponding legacy network device, wherein the target descriptor entry is updated with the newly received discovery information (col. 12, lines 10-26; col.13, lines 30-39).

49. As per claim 13, Tomiyasu, Banginwar and Levine taught the invention substantially as claimed in claim 12 above. Banginwar further taught that in the case that discovery information is not received in response to the discovery message for a particular one of the discovered legacy network devices, the target descriptor entry corresponding to the particular discovered legacy network device is deleted (col. 6, lines 10-31).

50. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Tomiyasu, Levine and Banginwar because Banginwar's method of deleting the target descriptor entry corresponding to a network device in the case that the discovery message is not received would increase the system alertness in Tomiyasu's and Levine's systems by allowing the status of the network device to be updated using discovery message.

51. As per claim 14, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 6 above. Tomiyasu and Banginwar did not teach sending a notification to the

Art Unit: 2154

application module. Levine taught a system comprising the step of sending a notification to the application module for each discovered legacy network device, the notification containing information related to the target descriptor entry for the corresponding legacy network device (col. 12, lines 10-26).

52. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Tomiyasu, Banginwar and Levine because Levine's system of sending a notification would increase the system alertness in Tomiyasu's and Banginwar's systems by allowing the status of the legacy network devices to be acknowledged by the application module.

53. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tomiyasu and Banginwar in view of Remer et al, U.S. Patent 6,742,039 (hereinafter Remer).

54. As per claim 27, Tomiyasu and Banginwar taught the invention substantially as claimed in claim 4 above. Tomiyasu and Banginwar did not teach the step of preventing transmission of the incoming messages. Remer taught that the inbound rules table contains rules which are used in the determining step to capture an incoming message from the external network and further including the step of preventing transmission of the incoming message on the local network (col. 3, lines 1-14; col. 5, lines 5-9).

Art Unit: 2154

55. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Tomiyasu, Banginwar and Remer because Remer's teaching of preventing transmission of the incoming message would increase the security in Tomiyasu's and Banginwar's systems by preventing an unauthorized messages to access a private network.

CONCLUSION

56. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

57. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C Lee whose telephone number is (703)305-7721. The examiner can normally be reached on 8 AM TO 5:30 PM Monday to Thursday and every other Friday.

58. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9306.

59. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)350-6121.

Alan Jan F.
9/3/04